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AMENDED IN SENATE AUGUST 18, 2003

AMENDED IN SENATE JULY 1, 2003

AMENDED IN ASSEMBLY MAY 6, 2003

AMENDED IN ASSEMBLY APRIL 21, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 413

Introduced by Assembly Member Goldberg

February 14, 2003

An act to add Section 5003.18 to the Public Resources Code, relating to state property, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 413, as amended, Goldberg. Property transactions.

Existing law ~~specifies that, with respect to state agencies expressly or impliedly authorized to enter into these transactions, unless the Legislature specifically provides that approval by the Director of General Services is not required, every conveyance, contract, or agreement whereby an interest of the state in any real property is conveyed, demised, or let to any person, shall be approved by the Director of General Services~~ *authorizes the Department of Parks and Recreation to lease, for use, all or any portion of any parcel of real property acquired for the state park system, if the director makes specified findings, and the rent is based on the fair market value of the*

property when used for the purpose for which it is leased. Existing law prohibits the term of a lease from exceeding a period of 10 years, unless the Legislature has reviewed and approved the proposed lease as part of the annual budget process, or the Public Works Board has determined that the proposed lease could not have been presented to the Legislature for review and approval, as provided.

This bill would, notwithstanding ~~that approval requirement~~ those provisions, authorize the Department of Parks and Recreation to lease 20 acres at a site commonly known as Taylor Yard to the City of Los Angeles for a term of 25 years without monetary consideration for use of the property for the development and operation of a local park with regional benefits, as specified. The bill would require the Public Works Board to review and approve the lease.

The bill would declare that it is to take effect immediately as an urgency statute.

Vote: ²/₃. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) As part of a high priority to increase park and open-space
- 4 opportunities in urban areas, the Department of Parks and
- 5 Recreation purchased a 40-acre parcel in the City of Los Angeles
- 6 known as Taylor Yard.
- 7 (b) Statewide and community needs related to Taylor Yard will
- 8 best be served by a coordinated and cooperative relationship
- 9 between the Department of Parks and Recreation and the City of
- 10 Los Angeles Department of Recreation and Parks. The goal of this
- 11 cooperative relationship should be to utilize and maximize the
- 12 strengths and missions of each entity in order to provide quality
- 13 outdoor recreational and natural resources enhancement
- 14 opportunities at the site, including organized sports fields to be
- 15 ~~owned and~~ operated by the city. This cooperative relationship
- 16 should include a collaborative planning and design process.
- 17 Collaborative planning and design ~~is~~ *are* necessary to ensure that
- 18 the parcel within ~~the~~ Taylor Yard to be leased to the City of Los
- 19 Angeles for local park purposes with regional benefits, and the
- 20 parcel within ~~the~~ Taylor Yard to be retained by the Department of

1 Parks and Recreation for state park purposes, are developed in a
2 compatible manner that meets the needs of the public.

3 (c) A lease of this land by the Department of Parks and
4 Recreation to the City of Los Angeles is needed to facilitate the
5 provision of organized sports opportunities. Specifically, the
6 Department of Parks and Recreation should lease a portion of
7 Taylor Yard to the City of Los Angeles, not to exceed 20 acres and
8 which is appropriate for city-developed and managed local and
9 regional recreational needs, including organized, youth sports
10 activities.

11 (d) To meet the needs of the public, dedication of necessary
12 resources and timely development of the Taylor Yard parcel is
13 critical. In light of this need, the lease agreement shall specify that,
14 if the property leased by the Department of Parks and Recreation
15 to the City of Los Angeles is not improved to provide local park
16 opportunities with regional benefits within five years, the state
17 may terminate the lease.

18 (e) To ensure the timely development of regional parks and
19 organized sports opportunities on the parcel to be leased to the City
20 of Los Angeles, the city shall utilize portions of funding available
21 to the city for park purposes, including state and local funds.

22 SEC. 2. Section 5003.18 is added to the Public Resources
23 Code, to read:

24 ~~5003.18. (a) Notwithstanding Section 5003.17 or any other~~
25 ~~provision of law, the~~

26 5003.18. (a) The director may lease to the City of Los
27 Angeles a parcel, not to exceed 20 acres of unimproved real
28 property situated in the City of Los Angeles, that parcel being a
29 portion of the property owned by the department and commonly
30 known as Taylor Yard.

31 (b) ~~The Notwithstanding subdivisions (b) and (c) of Section~~
32 ~~5003.17, the~~ term of the lease shall be for a period not to exceed
33 25 years and shall be without monetary consideration ~~for use of the~~
34 ~~property~~, except that the city shall fund the development and
35 operation of the park. The terms of the lease shall specify the
36 nature of the city's control of, and responsibility for the operation
37 of, the parcel.

38 (c) The purpose of the lease shall be for the development and
39 operation by the city of a local park with regional benefits

1 containing and providing organized sports facilities that will
2 primarily serve the youth of the Los Angeles region.

3 (d) If the ~~city fails~~ *department determines that the city has*
4 *failed* to develop a local park with regional benefits containing and
5 providing organized sports facilities within five years of execution
6 of the lease, the state shall have the right to terminate the lease.

7 (e) *Notwithstanding subdivision (d) of Section 5003.17, the*
8 *Public Works Board shall review and approve the lease, and shall*
9 *report any action taken to the Legislature and the Governor.*

10 (f) Upon one year's written notice from the city and upon the
11 state's written consent as granted pursuant to the state's sole
12 discretion, the lease may be extended for an additional 25 years
13 commencing on the first calendar day after the date set for
14 expiration of the lease. *In exercising its discretion to extend the*
15 *term of the lease, the state may modify, add, or delete terms and*
16 *conditions of the lease, including a requirement for monetary*
17 *consideration for use of the property, as the state may determine*
18 *to be in the best interests of the state. Pursuant to subdivision (d)*
19 *of Section 5003.17, the Legislature shall review and approve any*
20 *extension of the lease.*

21 (g) *The lease, and any extension of the lease, pursuant to this*
22 *section shall require best management practices for stormwater*
23 *discharge management, as required by the regional water quality*
24 *control board.*

25 SEC. 3. This act is an urgency statute necessary for the
26 immediate preservation of the public peace, health, or safety
27 within the meaning of Article IV of the Constitution and shall go
28 into immediate effect. The facts constituting the necessity are:

29 In order to ensure that the City of Los Angeles may apply for
30 Proposition 40 funds or grants in a timely manner to develop
31 organized sports facilities on the land leased to the city, it is
32 necessary for this act to take effect immediately.

